

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT GALLEGOS SR.

Petitioner,

v.

TOM CAREY, et. al.,

Respondent.

**Civ.S-04-02741-MCE GGH P
FINDINGS AND
RECOMMENDATIONS**

Based on petitioner's counsel's representations, filed on August 9, 2005, including the averment that respondent does not oppose petitioner's motion for a stay, IT IS HEREBY RECOMMENDED that further proceedings in this case be stayed pending the California Supreme Court's resolution of the petition for writ of habeas corpus filed by petitioner in No. S136199 and that the stay remain in effect until 30 days following the entry of a final order by the California Supreme Court in No. S136199.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within ten days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned

1 “Objections to Magistrate Judge's Findings and Recommendations.” Any reply to the objections
2 shall be served and filed within ten days after service of the objections. The parties are advised
3 that failure to file objections within the specified time may waive the right to appeal the District
4 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

5 DATED: 8/16/05

/s/ Gregory G. Hollows

6 HONORABLE GREGORY HOLLOWS
7 United States Magistrate Judge
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